

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – APRIL 18, 2006**

The Regular Meeting of the Borough Council of Washington, Warren County, New Jersey was held in the Council Chambers of Borough Hall at 8:00 P.M.

Roll Call: Buoye, Housel, Turner, Woykowski, Van Deursen, Glaser and Oakley – 7 Present.

Also Present: Richard P. Cushing, Esq., Municipal Attorney
Richard J. Sheola, Borough Manager
Linda L. Hendershot, Borough Clerk
Robert Miller, C.M.E., Borough Engineer

Mayor Van Deursen led everyone in the flag salute.

Mayor Van Deursen read the following Statement into the Record:

“The requirements of the ‘Open Public Meetings Law 1975, Chapter 231 have been satisfied in that adequate notice of this meeting has been published in the Star Gazette and posted on the Bulletin Board of Borough Hall stating the time, place and purpose of the meeting as required by law.

MINUTES:

Regular Meeting – April 4, 2006

Mayor Van Deursen entertained additions or corrections to the minutes of the regular meeting held April 4, 2006.

One minor correction was noted on Page 21 for the Clerk to correct.

It was therefore moved by Housel, seconded by Buoye that the minutes of the regular meeting held April 4, 2006 be approved as corrected.

Roll Call: Woykowski, Housel, Buoye, Van Derusen, Turner, Glaser and Oakley.

Ayes: 7, Nays: 0.

Motion carried.

COUNCIL APPEARANCE:

Rudolph Bescherer, Code Enforcement/Zoning Officer summarized the activity in his office to date. This year he is down on warnings and up on summonses. He issued a total of 809 summonses, 248 warnings, handled 140 complaints and 113 investigations. Forty-two (42) zoning permits were issued, twelve (12) were denied and ten (10) permits for parking on the street.

Mr. Bescherer reported that he also administers the Community Service Program for the Borough. To date 26 individuals have completed a total of 520 hours of community service. They have been assigned tasks such as cleaning the Borough Park, litter detail, lawn care, cleaning activities and carpentry work. They also can do tasks for homeowners if it is outside work. They also work two Saturday's a month from 8 – 12 Noon doing grass cutting.

Councilwoman Glaser noted that the Borough Manager has a data base of seniors in the community who require assistance. Rudy and the Manager will work together to make sure some of the seniors that have contacted Rudy are made part of the data base.

Councilwoman Oakley addressed warnings that citizens are given. Mr. Bescherer noted that warning are given in the beginning to residents but no warnings are given to habitual violators.

Councilman Turner asked if there were any particular problems Council should be made aware of. Mr. Bescherer noted that many residents sell their properties that have zoning violations that he is not aware of and doesn't know until a new resident moves into the property.

Mayor Van Deursen suggested perhaps looking into the issuance of a moving permit that would be acquired prior to moving out of the community. The Manager will research this question.

Mr. Bescherer noted that the real solution to the problem would be if the Borough would require a Certificate of Occupancy on the resale of the property.

Councilman Housel addressed problems with "For Sale" signs. Do we need to relax the ordinance on signs? Mr. Bescherer did not recommend relaxing the sign requirements.

Mayor Van Deursen thanked Mr. Bescherer for his very comprehensive report. The Mayor and Council appreciate the service he is providing to the community.

COMMUNICATIONS:

The following communications were entered into the Record:

- 1) NJLM Re: Immigration Reform;
- 2) NJLM Re: Celebrate New Jersey;
- 3) NJLM Re: Annual Property Tax Summitt;
- 4) NJLM Re: Update on Low Speed Vehicles (LSV's);

- 5) State of NJ – DOT Re: Rt. 31 Speed Limits;
- 6) E-mail message commending R. Bescherer;
- 7) Meeting Agenda – Highlands Council; and
- 8) Letter from Mark Bond Re: Nepotism

Mayor Van Deursen entertained a motion to acknowledge, receive and file the communications numbered #1 thru #8.

Discussion: Councilwoman Woykowski noted that there was a communication which complimented Mr. Bescherer for the fine job he is doing.

Ayes: 7, Nays: 0.
Motion carried.

AUDIENCE:

Mayor Van Deursen entertained remarks, petitions, statements and testimony from guests on items that were not on the agenda.

Christopher Reyes, 81 Alvin Sloan requested that Council relax the requirements on the drainage easement of 10' on his property.

Engineer, Robert Miller addressed the easement and explained that the easements were there for a reason due to the underground water problem. Some of the areas in this development need to be regarded.

Mr. Reyes pointed out that all of the fences in the development are either shadow box or chain link and water can flow through them.

It was pointed out that nothing can be built in the drainage easement as the Borough has to have access to these easements.

Mr. Reyes indicated that he is paying taxes on this property and he can't do what he wants with 1,400 Sq. Ft. of his property. Mayor Van Deursen explained that the deed restrictions are very specific and tell you exactly what the restrictions are.

No formal action was taken.

David Higgins, 113 Harding Drive noted that the bulky pick-up has been moved to a Tuesday pick-up. He asked if the bulky items could be placed out the evening before? The ordinance calls for allowing it to be placed curbside at 6 PM the evening before pick-up.

Hearing no further audience remarks, it was moved by Housel, seconded by Glaser that the audience portion of the meeting be closed.

Ayes: 7, Nays: 0.
Motion carried.

PUBLIC HEARING:

Community Development Block Grant – Co-Sponsor W/ ARC Warren County

Mayor Marianne Van Deursen opened up the public hearing on April 18, 2006 at 8:00 P.M. in the Municipal Building to entertain comments for a grant application to be filed with the Department of Community Affairs, Grant Development & Contract Administration Unit on behalf of the ARC of Warren County in the amount of \$ 400,000 for the purpose of building renovations and repair to the ARC Headquarters located at 319 W. Washington Avenue in the Borough of Washington, NJ.

Mr. Robert Pruznick, Executive Director summarized the intent and purpose of their project. Comments were entertained from the audience with regard to this application.

Councilwoman Glaser commended ARC for applying for these funds. She also advised them that they may be eligible for additional grant monies for General Operating Expenses as well.

Councilwoman Glaser commended ARC for applying for these funds. She also advised them that they may be eligible for additional grant monies for General Operating Expenses as well.

Councilman Turner suggested that perhaps they pursue some further options for providing heating for the building through solar power. There are grants available.

Mr. Pruznick noted that they may pursue this avenue with one of their group homes. The program is known as the “Go Green Program”.

Hearing no further comments from the audience, it was moved by Housel, seconded by Glaser that the public hearing be closed.

Ayes: 7, Nays: 0.
Motion carried.

Immediately following the public hearing the governing body adopted Resolution #99-2006 on a motion made by Councilman Housel, seconded by Glaser and it was adopted on unanimous vote.

RESOLUTION #99-2006

**STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
SMALL CITIES PROGRAM**

WHEREAS, the New Jersey Department of Community Affairs, Small Cities Program (“State”), provides grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Borough of Washington desires to further the public interest by obtaining funding in the amount of \$ 400,000 from the State to fund the following project:

ARC of Warren County – Building Renovations & Repairs

NOW, THEREFORE, the Mayor and Council of the Borough of Washington, in the County of Warren, and State of New Jersey resolves that Richard J. Sheola or the successor to the office of Borough Manager is hereby authorized to:

- (a) make application for such grant,
- (b) provide additional application information and furnish such documents as may be require, and
- (c) act as the authorized correspondent of the above named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Small Cities Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren and State of New Jersey:

1. That the Mayor of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as ARC of Warren County Building Renovations & Repairs;

2. That the applicant is making application for and by the ARC of Warren County;
3. That, in the event the State's funds are less than the total project cost specified above, the ARC of Warren County has the balance of funding necessary to complete the project;
4. That the ARC of Warren County agrees to comply with all applicable federal, state and local laws, rules and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

2006 Budget Related Documents

Ordinance #9-2006 – Establishing a CAP Bank (Final Passage)

An ordinance establishing a CAP Bank was introduced by Councilwoman Glaser.

It was further moved by Glaser, seconded by Oakley that Ordinance #9-2006 be read by title only.

Roll Call: Woykowski, Buoye, Housel, Van Deursen, Glaser, Oakley and Turner. Ayes: 7, Nays: 0. – Motion carried.

The Clerk read Ordinance #9-2006 by title only and stated that this ordinance had been published in the Star Gazette as required by law, a copy was posted on the bulletin board and copies available from the Clerk's office upon request.

Mayor Van Deursen opened up the public hearing portion of the ordinance to the audience for their questions or comments.

Hearing none, it was moved by Glaser, seconded by Oakley that the public hearing portion of the ordinance be closed. Ayes: 7, Nays: 0. – Motion carried.

Council Discussion: None.

It was therefore moved by Glaser, seconded by Oakley that Ordinance #9-2006 be adopted on final passage and that final publication be made as prescribed by law.

Roll Call: Turner, Glaser, Oakley, Van Deursen, Woykowski, Housel and Buoye.

Ayes: 7, Nays: 0.
Motion carried.

ORDINANCE #9-2006

**CALENDAR YEAR 2006
ORDINANCE TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et. seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said final budget appropriations to 2.5% or the cost of living adjustment of 3.5% over the previous years final appropriations; and

WHEREAS, a municipality may, by ordinance, bank the difference between its final budget appropriations subject to the 2.5% cap and the 3.5% cost of living adjustment when said difference is not appropriated as part of the final budget; and

WHEREAS, the governing body of the Borough of Washington, County of Warren, hereby determines that this difference in the amount of \$ 36,037.67 that is not appropriated as part of the final budget shall be retained as an exception to the final appropriations in either of the next two succeeding years.

BE IT FURTHER ORDAINED that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within five (5) days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereof, be filed with said Director within five (5) days after such adoption.

Resolution #92-2006 – Waiving Twenty (20) day Requirement Cap Bank

The following Resolution was moved by Glaser, seconded by Oakley and adopted:

RESOLUTION #92-2006

**A RESOLUTION DESIGNATING CAP BANK ORDINANCE
TO BE AN EMERGENCY ORDINANCE**

WHEREAS, Chapter 3, Article II, Section 15, Subsection E of the Code of the Borough of Washington, states that Ordinances shall become effective 20 days after final passage unless the Council, by an affirmative vote of five (5) Council Members, adopts a resolution declaring the Ordinance to be an emergency upon which said Ordinance will take effect upon final passage; and

WHEREAS, the adoption of the CAP Bank Ordinance is necessary prior to the adoption of the 2006 Municipal Budget; and

NOW, THEREFORE, BE IT RESOLVED, by the members of the Borough of Washington, in the County of Warren, State of New Jersey that CAP Bank Ordinance #9-2006 in accordance with Chapter 3, Article II, Section 15, Subsection E of the Code of the Borough of Washington and that this Ordinance shall take effect immediately upon final passage.

Roll Call: Oakley, Glaser, Turner, Woykowski, Housel, Buoye and
Van Deursen.

Ayes: 7, Nays: 0.
Motion carried.

Resolution #100-2006 – Resolution for Conducting Annual Budget Examination

The following Resolution was moved by Glaser, seconded by Oakley and adopted:

RESOLUTION #100-2006

RESOLUTION FOR CONDUCTING ANNUAL BUDGET EXAMINATION

WHEREAS, N.J.S.A. 40A:4-78B has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Borough of Washington has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough meets the necessary conditions to participate in the program for the 2006 budget year, **SO NOW THEREFORE**,

BE IT RESOLVED, by the Mayor and Council of the Borough of Washington that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officers certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges;
 - b. Deferred charges and statutory expenditures;
 - c. Cash deficit of preceding year;
 - d. Reserve for uncollected taxes;
 - e. Other reserves and non-disbursement items;
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the “CAP” law.)
3. That the budget is in such form arrangement, and content as required by the Local Budget law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated.
 - b. Items of appropriation are properly set forth.
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines N.J.S.A. 40A:4-5 shall not present such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

Roll Call: Van Deursen, Buoye, Housel, Woykowski, Turner, Glaser and
Oakley.

Ayes: 7, Nays: 0.
Motion carried.

Budget Hearing - Proposed 2006 Municipal Budget

Mayor Van Deursen opened up the public hearing portion of the budget for their testimony and questions.

Dave Higgins, 113 Harding Drive had several questions on the budget on several pages of the budget dealing with the revenues and grants, reserve for school taxes, solid waste collection, salaries for the Municipal Court, Social Security charges, insurance costs, the increase in the P.E.R.S. system, interest of notes.

He also asked if the \$ 20,000.00 change order on the Carlton Avenue project could be covered under the Borough's insurance? Councilwoman Glaser noted that there were contingency funds built into the contract for change orders.

The overall increase is a .92 increase with a \$ 370,000.00 increase in the budget. The Borough's revenues decreased and the State Aid is not meeting the cost of living.

Betty Wysocki, Surnise Terrace asked if she had enough money in her budget to pick up any stray animals. The Animal Control budget covers their salaries with \$2,500.00 for picking up of animals.

Dave Higgins, 113 Harding Drive also had a question with regard to the \$ 12,500.00 in the budget for Downtown Redevelopment.

Rick Feldman, 19 Prosper Way noted that the Recreation Commission lost \$ 10,000.00 which did not include the full time person.

Hearing no further comments or questions on the budget, it was moved by Glaser, seconded by Oakley that the public hearing be closed.

Ayes: 7, Nays: 0.
Motion carried.

Resolution #93-2006 – Final Adoption of 2006 Municipal Budget

The following Resolution was moved by Glaser, seconded by Buoye and adopted:

BE IT RESOLVED, that the Budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes of the sums therein as set forth as appropriations, and authorizing the amount of:

(a) \$ 3,475,319.24 for Municipal Purposes.

Note: A copy of the complete budget is on file in the Clerk's office.

Roll Call: Oakley, Glaser, Turner, Van Deursen and Buoye.

Ayes: 5, Nays: Woykowski and Housel – (2).

Motion carried.

Note: The objection to the budget by Councilman Housel and Woykowski was as a result of the authorization to purchase the police vehicle.

BOND ORDINANCE:

Ordinance #7-2006 – Bond Ordinance Providing Bonds or Notes for Various Projects (Final Passage)

A Bond Ordinance providing the funding for various projects was introduced by Councilwoman Glaser.

It was further moved by Glaser, seconded by Oakley that the Clerk read Ordinance #7-2006 by title only.

Roll Call: Woykowski, Housel, Buoye, Van Deursen, Turner, Glaser and Oakley.

Ayes: 7, Nays: 0.

Motion carried.

The Clerk read Ordinance #7-2006 by title only and stated that this ordinance was published in the Star Gazette as required by law, a copy posted on the bulletin board and copies available upon request in the Clerk's office.

Mayor Van Deursen opened the public hearing portion of the ordinance for questions or comments from the audience.

There being no comments from the audience, it was moved by Glaser, seconded by Oakley that the public hearing portion of the ordinance be closed.

Ayes: 7, Nays: 0.
Motion carried.

Council Discussion: Councilman Housel was opposed to the purchase of a four wheel drive vehicle for the Police Department. Manager Sheola noted that the Bond Law does not provide for the funding of police car passenger vehicles.

It was therefore moved by Glaser, seconded by Oakley that Ordinance #7-2006 be adopted on final passage and that final publication be made as prescribed by law.

Roll Call: Oakley, Glaser, Van Deursen and Buoye – Ayes: 4, Nays: Turner, Housel and Woykowski – 3 Nays.

Attorney Sheola noted that the bond ordinance failed for lack of a 2/3 vote in favor of the Bond Ordinance. In view of the fact that the defeat of this ordinance would hinder the funding of the other projects, Councilman Housel changed his vote to a “yes” vote.

The final vote was Ayes: 5, Nays: 2.

Motion carried.

ORDINANCE #7-2006

**BOND ORDINANCE APPROPRIATING \$ 1,823,765, AND
AUTHORIZING THE ISSUANCE OF \$ 1,622,600 BONDS OR
NOTES OF THE BOROUGH, FOR VARIOUS
IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE
UNDERTAKEN BY THE BOROUGH OF WASHINGTON,
IN THE COUNTY OF WARREN, NEW JERSEY.**

**BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF
THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN, NEW
JERSEY (not less than two-thirds of all the members affirmatively concurring), AS
FOLLOWS:**

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by the Borough of Washington, in the County of Warren, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefore and amounting in the aggregate to \$ 1,823,765 including the aggregate sum of \$ 81,165 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefore by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes, and including also, in the case of the improvement or purpose described in paragraph (c) of said Section 3, the sum of \$ 120,000 received or expected to be received by the Borough from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement or purpose.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$ 1,823,765 appropriations not provided for by application hereunder of said down payment or grant, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$ 1,622,600 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$ 1,622,600 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

IMPROVEMENT OR PURPOSE

- (a) Acquisition by purchase of new and additional vehicular equipment, including one (1) four wheel drive utility vehicle for use by the Police Department of the Borough, together with all equipment, attachments and accessories necessary therefore or incidental thereto, all as shown on and in accordance with the specifications therefore on file or to be filed in the office of the Borough Clerk and hereby approved.

APPROPRIATION AND ESTIMATED COST

\$ 25,000

ESTIMATED MAXIMUM AMOUNT OF BONDS OR NOTES

\$ 23,800

IMPROVEMENT OR PURPOSE

- (b) Acquisition by purchase of a new fire pumper truck for the preservation of life and property in the Borough including all equipment, apparatus and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefore on file or to be filed in the office of the Borough Clerk and hereby approved.

APPROPRIATION AND ESTIMATED COST

\$ 400,000

ESTIMATED MAXIMUM AMOUNT OF BONDS OR NOTES

\$ 380,950

IMPROVEMENT OR PURPOSE

- (c) Improvement of various streets and locations in and by the Borough, including, Belvidere Avenue, School Street, Cornish Street, and McKinley Avenue, by the reconstruction or resurfacing thereof to provide roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as such term is used or referred to in Section 40A:2-22 of said Local Bond Law), together with all structures, drainage improvements, curbing, sidewalks, equipment, work and materials necessary therefore or incidental thereto, all a shown on and in accordance with the plans and specifications therefore on file or to be filed in the office of the Borough Clerk and hereby approved, the \$996,765 appropriation hereby made therefor being inclusive of the sum of \$ 120,000 received or expected to be received by the Borough from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement to Belvidere Avenue.

APPROPRIATION AND ESTIMATED COST

\$ 996,765

ESTIMATED MAXIMUM AMOUNT OF BONDS OR NOTES

\$ 835,000

IMPROVEMENT OR PURPOSE

- (d) Improvement of Borough Park, including, but not limited to, drainage improvements, replacement of stadium lights and renovations to the Borough Pool, together with all structures, curbing, sidewalks, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefore on file or to be filed in the office of the Borough Clerk and hereby approved.

APPROPRIATION AND ESTIMATED COST

\$ 402,000

ESTIMATED MAXIMUM AMOUNT OF BONDS OR NOTES

\$ 382,850

TOTALS \$ 1,823,765 (Estimated Amount of Bonds or Notes)

TOTALS \$ 1,622,600 (Estimated Maximum Amount of Bonds and Notes)

Except as otherwise stated in paragraph (c) above with respect to the said \$120,000 grant-in-aid of financing the purpose described in said paragraph, the excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefore, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

- (a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

- (b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 11.06 years.
- (c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$1,622,600, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.
- (d) Amounts not exceeding \$ 150,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

Section 5. The funds from time to time received by the Borough on account of \$ 120,000 grant referred to in Section 1 of this bond ordinance shall be used for financing the improvement or purpose described in paragraph (c) of Section 3 of this bond ordinance by application thereof either to direct payment of the costs of said improvement or purpose, or to payment or reduction of the authorization of the obligations of the Borough authorized by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of such costs shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond ordinance.

Section 6. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations.

All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. S40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 7. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 8. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and available for public inspection.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

REPORTS:

It was moved by Glaser, seconded by Oakley that the Fire Prevention, Municipal Court (2), Recreation Commission (2), Police, Road Department, WWTP and Borough Manager's reports be accepted as presented and filed.

Discussion: Engineer Miller gave a extensive verbal report of engineering projects pending.

- 1) Washington Meadows is still pending and awaiting a meeting;
- 2) Garage plans are in the final stages and will go out to bid soon;
- 3) Mid-Block Crosswalk bids scheduled for April 25th with a lot of interest being generated;

- 4) The Sunrise/Pickel Avenue Project will be resumed with final paving top course being done next week;
- 5) Downtown parking lot plans are complete and will be placed out to bid soon;

Councilman Housel questioned whether the plans were modified to accommodate the developer's plans? The plans were revised.

- 6) The Carlton Avenue project was discussed and a number of soft spots have to be dug out before paving can begin.
- 7) School Street and E. Church Street projects were started last week; Councilwoman Glaser noted that she did not receive any letter regarding the project. Engineer Miller will check into her inquiry.
- 8) Youmans Avenue project is in the process of beginning;
- 9) Belvidere Avenue re-bids will be opened on May 4th;
- 10) Mr. Miller noted that the State Aid application deadline is June, 30th. Discussion will be held with respect to these applications the second meeting in May.

Vote on Reports:

Ayes: 7, Nays: 0.
Motion carried.

OLD BUSINESS:

Speed Hump Report

Mr. Miller summarized his report on the survey sent to the residents of N. Prospect Street regarding speed humps. 67 letters were sent out and 33 responded to the survey. The responses varied greatly. There still needs to be some input from the Fire Department, Emergency Squad and Road Department. Manager Sheola also noted that a recent Safety meeting the loss control advisor indicated that there is the potential for injuries to the emergency response teams. Seven and eight speed humps were proposed for the street.

Al Zabriskie, a resident in the audience, noted that other streets are going to want them as well if they are considered for N. Prospect Street. This is not the only street in the Borough where speeding is a problem.

Councilman Turner felt that more enforcement is needed by the Police Department.

Councilman Turner noted that the Borough of Summitt has a program utilizing red reflectors.

Engineer Miller indicated that the street could use more speed limit signs. A four way stop on Carlton Avenue and N. Prospect Street is also a possibility from a safety aspect.

Traffic counters were also suggested and can be obtained from the County.

Councilwoman Woykowski stated that she was very impressed with the report. The engineer has given the Council several options to consider.

A motion was made by Turner, seconded by Glaser to direct the engineer to contact the County for traffic counters and to e-mail Council on his findings.

Ayes: 7, Nays: 0.
Motion carried.

South Lincoln Avenue and Cemetery Road

Mr. Miller noted that he had a recent meeting with the County to discuss some proposed changes to the intersection of Cemetery Hills Road and S. Lincoln Avenue. Some excellent alternatives were discussed to improve the problems in this area.

Traffic Light – Rt. 57 and N. Prospect Street

Engineer Miller will check into the status of this project. It is still presently in the design stage.

Speed Limit – Broad Street

Manager Sheola was in receipt of a complaint regarding speeding on Broad Street as well. This has been turned over to the engineer for a report.

VOUCHERS:

Mayor Van Deursen entertained additions or questions of the vouchers and claims. Some discussion was held and all questions were answered. Councilwoman Woykowski was not particularly pleased with the downtown redevelopment presentation. She felt it was too brief.

Hearing no further discussion on the vouchers it was moved by Glaser, seconded by Housel that the vouchers and claims be paid in the amount of \$1,475,775.39 as reflected in the debit/credit memorandum on file in the Collector/Treasurer's office.

Roll Call: Housel, Oakley, Glaser, Turner, Van Deursen, Buoye and Woykowski.

Ayes: 7, Nays: 0.
Motion carried.

NEW BUSINESS:

Resolutions #89, #90 and #91-2006

The following Resolutions were moved on a motion made by Housel, seconded by Glaser and adopted:

RESOLUTION #89-2006

**A RESOLUTION TO REFUND OVERPAYMENT
ON 2006 CURRENT YEAR REAL ESTATE TAXES**

WHEREAS, according to the Tax Collector's records, there is an overpayment of \$ 1,624.26 on 2006 1st Quarter Regular Taxes paid on property located at 36 Cornish Street, also known as Block 099, Lot 007.01, and in the name of Merced, Ebet and Nilda; and

WHEREAS, Attorney J. Kuzemczak has paid 1st Quarter Regular Taxes for the new property owner and Wells Fargo Real Estate Tax Service has paid the 1st quarter 2006 Regular Taxes for the former property owners', the Merced's; and

WHEREAS, the Tax Collector has received a written request from Wells Fargo Real Estate Tax Service to refund the tax overpayment to the mortgage company.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey, to hereby authorize the Tax Collector and Treasurer to refund the amount of \$ 1,624.26 payable to:

Wells Fargo Home Mortgage
Wells Fargo Real Estate Tax Service, LLC
ATTN: Financial Support Unit-Region I
1 Home Campus
MAC X2502-011
Des Moines, IA 50328-0001

Roll Call: Woykowski, Housel, Buoye, Van Deursen, Turner, Glaser and Oakley.

Ayes: 7, Nays: 0.
Motion carried.

RESOLUTION #90-2006

**RESOLUTION TO CLOSE AN ESCROW ACCOUNT FOR
STREET OPENING PERMIT FOR THE PURPOSE OF
CONSTRUCTING A DRIVEWAY APRON AND DEPRESSED CURB
AT PROPERTY K/A 15 E. STEWART ST.**

WHEREAS, Robert Garcia did apply to the Borough of Washington for a street opening permit to repair the sanitary sewer line at 15 E. Stewart Street; and

WHEREAS, the Borough requires the filing of a surety bond or cash bond in the amount of \$ 1,000.00 to be filed with the Clerk and deposited with the Borough Treasurer; and

WHEREAS, Robert Miller, C.M.E., Borough Engineer has notified the Clerk that the work has been completed in satisfactory condition and that the cash bond can be released.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, that the Treasurer be authorized to refund Robert Garcia, 15 E. Stewart St., Washington, NJ the amount of \$ 1,000.00 drawn on the Street Opening – Security Escrow Account at Commerce Bank, Account #7200020864.

Roll Call: Oakley, Glaser, Turner, Van Derusen, Buoye, Housel and Woykowski.

Ayes: 7, Nays: 0.
Motion carried.

RESOLUTION #91-2006

**RESOLUTION TO CLOSE AN ESCROW ACCOUNT FOR
STREET OPENING PERMIT FOR THE PURPOSE OF
REPAIRING A SEWER LINE AT PROPERTY K/A 263 W. CARLTON
AVENUE.**

WHEREAS, Henkels & McCoy did apply to the Borough of Washington for a street opening permit to repair the sanitary sewer line at 263 W. Carlton Avenue; and

WHEREAS, the Borough requires the filing of a surety bond or cash bond in the amount of \$ 1,000.00 to be filed with the Clerk and deposited with the Borough Treasurer; and

WHEREAS, Robert Miller, C.M.E., Borough Engineer has notified the Clerk that the work has been completed in satisfactory condition and that the cash bond can be released.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, that the Treasurer be authorized to refund Henkels & McCoy, Inc., 50 E. Stewart St., Washington, NJ the amount of \$ 1,000.00 drawn on the Street Opening – Security Escrow Account at Commerce Bank, Account #7200020864.

Roll Call: Woykowski, Housel, Buoye, Van Deirsen, Turner, Glaser and Oakley.

Ayes: 7, Nays: 0.
Motion carried.

Resolution #94-2006b- Amend Budget - Click It/Ticket Program

The following Resolution was moved by Glaser, seconded by Housel and adopted:

RESOLUTION #94-2006

**A RESOLUTION OF THE BOROUGH OF WASHINGTON
REQUESTING APPROVAL OF AN ITEM OF REVENUE
AND APPROPRIATION UNDER N.J.S.A. 40:4-87**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey hereby request the Director of Local Government Services with the Department of Community Affairs to approve the insertion of an item of revenue in the budget of the year 2006 in the sum of \$ 4,000.00, which item is now available as a revenue from the State of New Jersey, Department of Law and Public Safety, Division of Highway Traffic Safety for the Click It Or Ticket 2006 grant program.

BE IT FURTHER REOLVED, that a like sum of \$ 4,000.00 is hereby appropriated under the caption of “Click It or Ticket” Salary & Wages outside the CAP.

Roll Call: Oakley, Glaser, Turner, Van Deursen, Buoye, Housel and Woykowski.

Ayes: 7, Nays: 0.
Motion carried.

Resolution #95-2006 – Amend Budget – Clean Communities

The following Resolution was moved by Glaser, seconded by Housel and adopted:

RESOLUTION #95-2006

**A RESOLUTION OF THE BOROUGH OF WASHINGTON
REQUESTING APPROVAL OF AN ITEM OF REVENUE
AND APPROPRIATION UNDER N.J.S.A. 40:4-87**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey, hereby request the Director of Local Government Services with the Department of Community Affairs to approve the insertion of an item of revenue in the budget of the year 2006 in the sum of \$ 6,298.93 which item is now available as a revenue from the State of New Jersey, Department of Environmental Protection, for the Clean Communities 2006 grant program.

BE IT FURTHER RESOLVED, that the like sum of \$ 6,298.93 is hereby appropriated under the caption "Clean Communities" Other Expenses outside the CAP.

Roll Call: Woykowski, Housel, Buoye, Van Deursen, Turner, Glaser
and Oakley.

Ayes: 7, Nays: 0.

Motion carried.

Resolution #96-2006 – Setting Salaries – Non Union Employees

The following Resolution was moved by Glaser, seconded by Oakley and adopted:

RESOLUTION #96-2006

**RESOLUTION SETTING SPECIFIC SALARIES FOR NON-UNION
EMPLOYEES OF THE BOROUGH OF WASHINGTON, PURSUANT TO
SALARY ORDINANCE ADOPTED BY THE BOROUGH COUNCIL, OF THE
BOROUGH OF WASHINGTON, COUNTY OF WARREN, STATE OF NEW
JERSEY.**

WHEREAS, the BOROUGH OF WASHINGTON did on February 15, 2005 enact a Salary Ordinance establishing certain salary ranges for non-union employees of the BOROUGH OF WASHINGTON, PURSUANT TO **NJSA40A:9-165**; and

WHEREAS, the Borough Council of the Borough of Washington is desirous of establishing actual salary for the following position effective as indicated:

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the BOROUGH OF WASHINGTON, County of Warren, State of New Jersey, they do establish respective salaries or compensation set forth below as the actual amount to be paid, effective as noted, to the respective position, and until further established by resolution or ordinance:

Borough Manager	\$ 105,997 – January 1, 2006
Borough Manager – Auto Allowance	\$ 350 per month January , 2006
Library Director	\$ 64,529 – January 1, 2006
Police Chief	\$ 87,411 – January 1, 2006

Roll Call: Buoye, Van Deursen, Glaser and Oakley – Ayes: 4, Woykowski, Turner and Housel – Nays: 3.

Motion carried.

Resolution #97-2006 – Change Order – Sunrise/Pickel Avenue

The following Resolution was moved by Glaser, seconded by Housel and adopted:

RESOLUTION #97-2006

**A RESOLUTION APPROVING CHANGE ORDER #3
RELATED TO THE SUNRISE TERRACE/PICKEL AVENUE
SIDEWALK/CURBING PROJECT**

WHEREAS, the Borough of Washington is repairing/replacing various curbs and sidewalks as part of an extensive rehabilitation program; and

WHEREAS, from time to time during the construction process, various field changes and adjustments are necessary; and

WHEREAS, the project engineers, Studer & McElDowney have recommended the following Change Order:

Extend Length of Project	30 days
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WHEREAS, the Mayor and Council of the Borough of Washington wishes to accept the change order for this work as it is in the best interest of the Borough of Washington.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey approve Change Order #3 and authorize the Borough Manager and Project Engineer to prepare the necessary documents as soon as possible and for the Borough Manager to execute the change order on behalf of Washington Borough.

Discussion: It was noted that there is no exchange of money with regard to this Change Order, time only.

Roll Call: Oakley, Glaser, Turner, Wykowski, Housel, Buoye and Van Deursen.

Ayes: 7, Nays: 0.
Motion carried.

Resolution #98-2006 – Adopting Policy on Conference Expenses

The following Resolution was moved by Glaser, seconded by Oakley and adopted:

RESOLUTION #98-2006

A RESOLUTION ADOPTING A POLICY ON CONFERENCE EXPENSES

WHEREAS, a written policy is needed in order to define the nature of the “Conference and Seminar Reimbursements” for the Borough of Washington; and

WHEREAS, the Mayor and Council of the Borough of Washington understand that continuous education is vital to a productive workforce; and

NOW, THEREFORE, BE IT RESOLVED,

That the Common Council of the Borough of Washington, Warren County, New Jersey does hereby enact the following policy:

Borough of Washington

Policy on Conference Reimbursements

The Mayor and Council of the Borough of Washington recognize that continuous education and training of its employees is paramount to an exemplary public service. To that end, the following policy shall apply whenever any Borough employee wishes to attend educational seminars, conferences or schools that will enhance their knowledge in their field.

One (1) Day Seminas

The employee shall present to their supervisor the details of the seminar including, but not limited to locations, cost of seminar, any travel costs and incidentals. Upon approval by the supervisor, the employee shall forward a signed copy of the request to the Borough Manager’s office for approval accompanied by a Purchase Requisition form outlining all costs and budget line items. As a rule, the Borough shall pay reasonable costs for the seminar along with the cost of any materials required for the seminar.

Multi-Day Seminars or Conferences

The employee shall determine the total cost of the educational experience including all travel and miscellaneous expenses along with a estimate of time away from the office and a plan on how the work will be addressed. If the educational event is out of state (excluding the Allentown, Bethlehem & Easton area and requiring overnight stay, the approval of the Borough Manager is needed prior to any budgetary encumbrances. There should be a compelling reason to attend the conference, which should be attached to the conference outline. The employee should delineate the sessions he/she plans on attending and the relevance of each to his/her employment. The Borough Manager's decision in each case is final. If the conference is approved, the Borough shall pay reasonable expenses in an amount not to exceed \$ 25 per diem if meals are provided and \$ 50 per diem if meals are not provided. If a Borough employee uses his/her personal vehicles to travel to the conference, a verifiable estimate of the mileage (MapQuest or similar) shall be provided with the request to the attend the conference – mileage rate shall be in accordance with labor contracts in place at the time of the request.

This Policy will become effective immediately upon adoption by the Mayor and Common Council of the Borough of Washington, Warren County, New Jersey.

Roll Call: Housel, Buoye, Van Deursen, Turner, Glaser and Oakley.
Ayes: 6, Nays: Woykowski.

Motion carried.

Proclamation – Arbor Day Celebration

Mayor Van Deursen read a Proclamation proclaiming Tuesday, April 27th as Arbor Day in the Borough of Washington.

To consider a request for outdoor dining – Washington Quick Mart

A request for outdoor tables at the Washington Quick Mart was received. It was moved by Glaser, seconded by Housel that approval be granted with the restrictions in the ordinance for access to the public sidewalk.

Ayes: 7, Nays: 0.
Motion carried.

Washington Nursery School – Raffle Application

An application for raffle license for the Washington Nursery School was submitted to Council for their approval. The application was in order and fees paid.

It was therefore moved by Housel, seconded by Glaser that the Clerk be instructed to issue a raffle license to the Washington Nursery School.

Roll Call: Woykowski, Housel, Buoye, Van Deursen, Oakley, Glaser and Turner.

Ayes: 7, Nays: 0.
Motion carried.

Informal Meeting with the Township

Mayor Dave Dempski appointed a sub-committee to meet with the Borough to discuss areas that perhaps the two municipalities could talk about some shared services.

Councilman Housel questioned what kinds of services are we talking about.

Councilwoman Woykowski suggested that Council discuss this at a workshop meeting.

Councilman Housel noted that joint efforts could be looked into with respect to solving the S. Lincoln Avenue parking problem and discussion with respect to a Ladder Truck for fire response.

Executive Session

It was moved by Glaser, seconded by Oakley that the Council go in Executive Session to discuss contract negotiations and land acquisition.

Ayes: 7, Nays: 0.
Motion carried.

It was moved by Turner, seconded by Housel that Council go out of Executive Session and back into open session at 10:30 PM.

Ayes: 7, Nays: 0.
Motion carried.

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Hearing no further business to come before Council, it was moved by Buoye, seconded by Glaser that the meeting be adjourned at 10:30 PM.

Ayes: 7, Nays: 0.
Motion carried.

Marianne Van Deursen, Mayor

Linda L. Hendershot, RMC/CMC
Borough Clerk